

## REMARKS

Claims 1-20 are in the application. Claims 1 and 12 are currently amended; claim 10 is canceled; and claims 2-9, 11, and 13-20 remain unchanged from the original versions thereof. No new matter has been added to the application as a result of the current Amendment and Response.

Reconsideration and further examination are respectfully requested.

### Claim Rejections Under 35 USC § 101

The Office Action rejected claims 1-17 for allegedly claiming an invention directed to non-statutory subject matter. In particular, the Office Action stated that claims 1-17 do not apply, involve, use, or advance the technological arts since all of the recited steps can be performed in person or by use of a pencil and paper without the use of a computer or other technology. Currently amended claim 1 recites a method for aggregating feedback, including (in part),

automatically generating, by a processor, a feedback request based on said first set of travel information and requesting specific feedback regarding said at least one travel service provider;  
transmitting said feedback request to said traveler;  
receiving feedback information from said traveler; and  
analyzing said feedback information received from said traveler by said processor. (emphasis added)

Currently amended claim 12 is worded, in relevant part, similar to claim 1. Clearly, claim 1 states that a processor generates a feedback request and analyzes feedback information. That is, claim 1 is clarified by amendment to unambiguously state that a processor generates the feedback request and analyzes feedback information. Support for the current amendment of claim 1 may be found in the specification at least at page 11, lines 1-9 that states,

In the embodiment illustrated in FIG. 2, customer service controller 102 includes a microprocessor 205 in communication with a communication bus 210. Microprocessor 205 may be an Intel Pentium®, RISC-based, or other type of processor and is used to execute processor-executable process steps so as to control the elements of customer service controller 102 to provide desired functionality. Many other types of computing hardware may be used to perform the functions of server 102, including, but not limited to, a mainframe, a

workstation, a network of devices, or any combination of one or more of the foregoing.

and page 22, lines 28-29 that states,

Upon receipt of the feedback information, customer service controller 102 analyzes the feedback information at 712.

Furthermore, the processor recited in claims 1 and 12 is consistent with the "processor" and "means" recited in claims 18-20. Claims 18-20 were not rejected under 35 USC 101.

Therefore, Applicant respectfully submits that claims 1 and 12 are in fact directed to statutory subject matter under 35 USC 101. Claims 2-11 depend from claim 1 and claims 13-17 depend from claim 12. Accordingly, it is respectfully submitted that claims 1-17 are directed to statutory subject matter under 35 USC 101.

Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 1-17 under 35 USC 101 and the further examination of same.

#### **Claim Objections**

Claims 7 and 10 were objected to because of an informality therein. Namely, claims 7 and 10 were objected to for being duplicate claims. Claim 10 is hereby canceled by amendment, as indicated in the listing of claims above.

Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the objection of claims 7 and 10.

#### **Claim Rejections Under 35 USC § 102(e)**

Claims 1, 5-7, 10-12, 15, 16, and 18-20 were rejected as being anticipated by U.S. Patent No. 6,189,029 (hereinafter, Fuerst). This rejection is respectfully traversed.

Regarding claim 1, it is first noted that the cited and relied upon Fuerst does not disclose or suggest, at least, the claimed receiving a first set of travel information including information

identifying a traveler, an itinerary of the traveler, and at least one travel service provider scheduled to provide services to the traveler. Fuerst appears to disclose a survey tool for conducting a survey or poll over the Web. More importantly, Fuerst discloses presenting questions to a user in a survey to “obtain a fare quotation for domestic and international flights” (Fuerst, col. 3, ln. 16-20) or “designed to interpret the user’s needs.” (Fuerst, col. 10, ln. 24-25) In the explicit examples provided by Fuerst, questions are asked of the user (e.g., to determine the user’s desired or potential travel plans) and a proposal of available flights that may satisfy the user’s desired plans are displayed to the user. (See Fuerst, col. 10, ln. 25-34) That is, the Fuerst survey asks questions regarding the desired travel plans of a user, not scheduled (i.e., set) travel plans.

Fuerst does not disclose a system or method to receive a first set of travel information including information identifying a traveler, an itinerary of the traveler, and at least one travel service provider scheduled to provide services to the traveler. As the examples disclosed in the cited and relied upon Fuerst clearly demonstrate, the survey questions to a user therein do not include travel information including information that identifies the user, the user’s itinerary, or at least one travel service provider scheduled to provide services to the user. In Fuerst, the surveys are not related to a scheduled trip or travel but instead regard a “desired” or potential trip. (See Fuerst, col. 10, ln. 27) Accordingly, Fuerst does not disclose or suggest a need for or actual obtaining of the user’s identity. Since the survey is disclosed as being used to generate a price quotation or a potential flight schedule, there is no need to obtain the information of the user’s identity, as claimed by Applicant.

Also, Fuerst does not disclose or suggest receiving a first set of information including information identifying an itinerary of the traveler and at least one travel service provider scheduled to provide services to the traveler, as claimed, since the Fuerst surveys merely provide a desired flight schedule, not scheduled travel for the user. The Fuerst survey tool is proposed as a mechanism for initially planning travel. Fuerst does not disclose or suggest any survey related to scheduled travel.

Accordingly, the further recited aspects of automatically generating, transmitting, receiving, and analyzing in claim 1 are also not disclosed or suggested by Fuerst since (at least) Fuerst fails to disclose or suggest the claimed receiving a first set of information, as claimed by Applicant.

Further regarding claim 1, Applicant respectfully submits that the cited and relied upon Fuerst does not disclose or suggest the claimed automatically generating, by a processor, a feedback request based on the first set of travel information and requesting specific feedback regarding the at least one travel service provider. In addition to not receiving the first set of information, as claimed and clearly pointed out hereinabove, Fuerst does not automatically generate a feedback request based on the first set of travel information that requests specific feedback regarding at least one travel service provider.

Fuerst discloses asking a user a first set of questions (i.e., survey) and further selecting a second series of questions from a decision tree comprising a plurality of available surveys. (Fuerst col. 3, ln. 15-25) Thus, it should be clear that Fuerst does not disclose generating a feedback request based on a first set of travel information as claimed since (at least) the claimed travel information is not the same as the Fuerst disclosed answers or possible answers. This is the case since Fuerst does not receive a first set of travel information that is the same or suggestive of the first set of travel information claimed by Applicant. Again, the Fuerst survey and answers thereto relate to potential travel plans, not scheduled travel. Consequently, Fuerst does not disclose or suggest the claimed generating the feedback request that requests specific feedback regarding the at least one service provider. In Fuerst there are no travel providers as claimed since the Fuerst disclosed travel information is not related to scheduled travel. Since there is no scheduled travel in disclosed in Fuerst, there is no disclosed or suggested service provider scheduled to provide travel services to the traveler. The surveys disclosed in Fuerst and regarding travel (Fuerst col. 3, ln. 14-40) appear to relate only to the planning of a flight. There is no disclosure or suggestion in Fuerst regarding scheduled travel and/or a service provider scheduled to provide travel services to the traveler.

Therefore, Applicant respectfully submits that claim 1 is not anticipated by Fuerst under 35 USC 102(e). Claims 5-7 and 11 depend from claim 1. Applicant submits that claims 5-7 and 11 are patentable over Fuerst under 35 USC 102(e) for at least the same reasons stated above regarding claim 1.

Independent claims 12 and 18-20 are worded similar to claim 1 in relevant part with respect to the rejection thereof under 35 USC 102(e) and the distinctions discussed hereinabove regarding claim 1. Therefore, Applicant respectfully submits that claims 12 and 18-20 are not anticipated by Fuerst under 35 USC 102(e). Also, Claims 15 and 16 depend from claim 12. Applicant respectfully submits that claims 15 and 16 are patentable over the cited and relied upon Fuerst under 35 USC 102(e) for at least the same reasons stated above regarding claim 12.

Therefore, the reconsideration and withdrawal of the 35 USC 102(e) rejection of claims 1, 5-7, 10-12, 15, 16, and 18-20 are requested, as is the allowance of claims 1, 5-7, 10-12, 15, 16, and 18-20.

#### Claim Rejections Under 35 USC § 103(a)

Claims 2-4, 8, 9, 13, 14 and 17 were rejected as being unpatentable over Fuerst as applied to claims 1 and 12 above. This rejection is traversed.

The rejection of claims 2-4, 8, 9, 13, 14, and 17 under 35 USC 103(a) depends on the alleged disclosure of Fuerst as applied to claims 1 and 12. As discussed in detail above, the cited and relied upon Fuerst fails to disclose or suggest that for which it was cited and relied upon for disclosing regarding claims 1 and 12. Accordingly, the 35 USC 103(a) rejection of claims 2-4, 8, 9, 13, 14 and 17 that relies upon the alleged disclosure of Fuerst is fatally flawed and does not render claims 2-4, 8, 9, 13, 14 and 17 obvious under 35 USC 103(a).

Therefore, the reconsideration and withdrawal of the 35 USC 103(a) rejection of claims 2-4, 8, 9, 13, 14 and 17 are requested, as is the allowance of claims 2-4, 8, 9, 13, 14 and 17.

Attorney Docket No.: 2001P07440US

### CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (650) 943-7405.

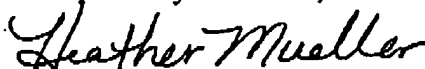
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Date: 10/22/04